



Atty. Dkt. No. 067286-0278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James C. KENNEDY et al.

Title: PHOTOCHEMOTHERAPEUTIC METHOD
USING 5-AMINO LEVULINIC ACID AND
OTHER PRECURSORS OF ENDOGENOUS
PORPHYRINS

Appl. No.: 10/605,826

Filing Date: 10/29/2003

Examiner: Unassigned

Art Unit: 1617

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/816,329, filed 03/26/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

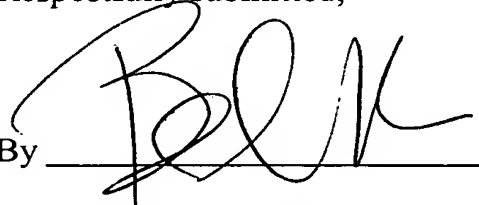
The relevance of the listed documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 26 March 2004

By 

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5475

Facsimile: (202) 672-5399

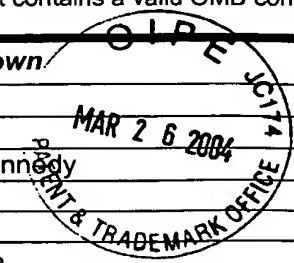
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Attorney for Applicants

Registration No. 35,087

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known		
				Application Number		10/605,826
				Filing Date		10/29/2003
				First Named Inventor		James C. Kennedy
				Group Art Unit		1617
				Examiner Name		Unassigned
Attorney Docket Number				067286-0278		
Sheet	1	of	6			



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,211,938		KENNEDY et al.	05/93	
	A2	5,219,878		RINGUET et al.	06/93	
	A3	5,163,990		REBEIZ	11/92	
	A4	5,200,427		REBEIZ et al.	04/93	
	A5	5,079,262		KENNEDY et al.	01/92	
	A6	5,234,940		KENNEDY et al.	08/93	
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	A9	5,004,811		BOMMER et al.	04/91	
	A10	5,127,938		REBEIZ	07/92	
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	A12	4,932,934		DOUGHERTY et al.	06/90	
	A13	5,425,728		TANKOVICH	06/95	
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	A18	5,705,518		RICHTER et al.	06/98	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A19	EP	0 233 701			08/87		
-	A20	WO	95/07077	-	-	03/95	- - -	

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	A21	WO	93/08715			05/93		
	A22	WO	91/01727			02/91		
	A23	WO	95/31189			11/23/95		
	A24	WO	94/06424			3/31/94		
	A25	WO	95/05813			3/2/95		
	A26	WO	93/20810			10/28/93		
	A27	WO	94/12239			6/9/94		

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	A28	BOEHNCKE, et al., Treatment of Psoriasis by Topical Photodynamic Therapy with Polychromatic Light, <i>The Lancet</i> , 343:801, March 1994	
	A29	FUKUDA et al., Photodynamic Action of Endogenously synthesized Porphyrins from Aminolevulinic, <i>Int. J. Biochem.</i> , 25:10; 1395-98, 1993	
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	A44	SIMA et al., "Experimental Porphyric Neuropathy: A Preliminary Report", <i>Canada J. Neurol. Sci.</i> , Vol. 8, No. 2, pp. 105-114, (1981)		
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	A50	KOENIG et al., "In Vivo Photoproduct Formation During PDT With ALA-Induced Endogenous Porphyrins", <i>J. Photochem. Photobiol. B: Biol.</i> , Vol. 18:287-290, (1993)		
	A51	VAN HILLEGEERSBERG et al., "Current Status of Photodynamic Therapy In Oncology", <i>Drugs</i> , Vol. 48(4):510-527, (1994)		
	A52	YANG et al., "Photodynamic Ablation of Early Pregnancy in the Rat With 5-Aminolevulinic Acid: A Potential New Therapy For Tubal Ectopic Pregnancy in the Human", <i>Fertility And Sterility</i> , Vol. 62(5):1060-1065, (1994)		
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	A55	YANG et al., "Intrauterine 5-Aminolevulinic Acid Induces Selective Fluorescence And Photodynamic Ablation Of The Rat Endometrium", <i>Photochemistry And Photobiology</i> , Vol. 57(5):803-807, (1993)		
	A56	GRANT et al., "Photodynamic Therapy of Oral Cancer: Photosensitisation With Systemic Aminolaevulinic Acid", <i>The Lancet</i> , Vol. 342:147-148, (1993)		
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	A77	FUKUDA et al., "Tumor-Localizing Properties Of Porphyrins in vivo Studies Using Free And Liposome Encapsulated Aminolevulinic Acid", <i>Comp. Biochem. Physiol.</i> , Vol. 102B(2):433-436, (1992)	
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